



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Metcalfe

Application No.: 10/821,041

Filed: 4/8/2004

Title: Method and Apparatus for Controlling Pests

Attorney Docket No.: 50180

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Art Unit:
3643

Examiner:
Ark, Darren W.

RESPONSE UNDER 37 CFR 1.111

Dear Sir:

In response to the Office Action of June 15, 2007, please amend this application as follows:

In the claims:

Please amend the claims as per the attached claim amendment sheet.

Status of the Claims:

Claims 1-7, 23-36, 40-41, 43-48 are pending. Claims 49 and 50 are new, being previously allowed claims 46 and 47 re-written in independent form. The independent claims are previous claims 1, 23, and 32, as well as new claims 49 and 50, above. The limitation of prior claim 2 has been added to claim 1 and claim 2 has been cancelled. The limitation of prior claim 44 has been added to independent claims 23 and 32 and claim 44 has been cancelled.

REMARKS

Reconsideration and further examination is respectfully requested.

Applicant does not agree with the bases for the rejection of claims in the above referenced Action. However, the inventor agrees that adding the limitation of the particulate composition having an average particle size diameter in the range of 2 to 100 μ m to independent claims would be acceptable.

In light of the above mentioned amendment and Action, applicant submits that all claims have been placed in condition for allowance. Further traversal is unnecessary. Again, applicant will file a terminal disclaimer if appropriate.